

RICHLAND & FALKOWSKI, PLLC
ATTORNEYS AT LAW

QUEENS COUNTY OFFICE:
28-07 JACKSON AVE 5TH FL
LONG ISL. CITY, NY 11101

ORANGE COUNTY OFFICE:
5 FAIRLAWN DRIVE, SUITE 204
WASHINGTONVILLE, NY 10992

PHONE: (212) 390-8872
FAX: (212) 390-8873
EMAIL: drichland@rflegal.net

October 7, 2022

Via Electronic Filing

Magistrate Judge Vera M. Scanlon
United States District Court
Eastern District of New York
225 Cadman Plaza East, 1214 South
Brooklyn, New York 11201

RE: *Green Mountain Holdings (Cayman) Ltd. v. Precision Pro Contracting Services, LLC*, 21-cv-03287(WFK)(VMS)
Discovery Status Letter

Dear Magistrate Judge Scanlon:

I represent Defendants/Third-Party Plaintiffs Melvin Turner and Precision Precision Pro Contracting Services LLC (“Borrower Defendants”) in the above referenced action pending before you. I write this letter on behalf of the Borrower Defendants, Plaintiff, and Third-Party Defendant Truist Bank (“Truist”) pursuant to the September 15, 2022 conference and order.

As the Court is aware, there is a pending letter motion to compel discovery responses by the Borrower Defendants against Truist pending before you. ECF Dkt. No. 51. In addition, there remains (i) the identification of Plaintiff’s corporate representative and scheduling of Plaintiff’s deposition, with the reservation of Borrower Defendants to request additional depositions of Plaintiff, if necessary, (ii) the scheduling of Melvin Turner’s deposition, and (iii) the deposition of a corporate representative of Truist. It is also possible the Borrower Defendants will want a deposition from non-party Ed Gitlin and a representative of non-party Weltz, Kakos, Gerbi, Wolinetz, Volynsky LLP, although that is contingent on the testimony of Plaintiff. Plaintiff is still in the process of reviewing Borrower Defendant’s production of documents made on October 3, 2022 and list of deposition topics provided on September 23, 2022.

Truist continues to maintain its objection to a deposition of its corporate representative and objects to discovery on the grounds that it has a motion for a stay pending before the District Judge.

I thank the Court for its kind consideration and attention to this matter.

Very truly yours,

A handwritten signature in black ink, consisting of a large capital 'D' followed by a stylized, flowing script that ends in a large loop.

Daniel H. Richland, Esq.